

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

**East Balt Ohio, LLC  
3005 Eastpointe Dr.  
Zanesville, OH 13870**

**ATTENTION:**

**Mark Church  
Maintenance Manager**

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency is requiring East Balt Ohio, LLC (East Balt or you) to submit certain information about the facility at 3005 Eastpointe Dr., Zanesville, Ohio. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

East Balt owns and operates an emission source at the Zanesville, Ohio facility. We are requesting this information to determine whether your emission source is complying with the Ohio State Implementation Plan and your State Permit-to-Operate.

East Balt must send all required information to:

Attn: Compliance Tracker, AE-18J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency  
Region 5

77 W. Jackson Boulevard  
Chicago, Illinois 60604

East Balt must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B, for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject East Balt to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Virginia Galinsky at 312-353-2089.

3/21/18  
Date

Edward Nam  
Edward Nam  
Director  
Air and Radiation Division

## **Appendix A**

When providing the information requested in Appendix B, use the following instructions and definitions.

### **Instructions**

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

#### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. "Bakery Line" shall mean the bakery line located at 3005 East Point Dr., Zanesville, OH, containing emission unit P001 (Bakery Oven), the Proofer Box, and all other equipment and processes involved in bun production.

## Appendix B

### Information You Are Required to Submit to EPA

East Balt shall submit the following information pursuant to Section 114(a) of the CAA,

42 U.S.C. § 7414(a), within 30 days of receipt of this request:

1. Provide the date when the Bakery Line commenced construction.
2. Provide all permit applications not previously submitted to USEPA related to construction or modification of the Bakery Line.
3. Indicate the current capacity of the Bakery Line, Bakery Oven and/or Proof Box and provide supporting engineering documentation for each.
4. In a Microsoft Excel spreadsheet or other compatible format, provide the maximum hourly production rate achieved in tons per hour, for each month from January 2013 to the present.
5. Provide, in a Microsoft Excel spreadsheet or other compatible format, the total monthly production rate of the Bakery Line, in tons per month, for each month from January 2013 to the present.
6. Provide copies of all annual permit evaluation reports, emission reports, and malfunction reports submitted to Ohio EPA from January 1, 2013 to present.
7. Provide a copy of the full test report of all complete or partial air emissions testing at the Bakery Line for SO<sub>2</sub>, NO<sub>x</sub>, PM (including filterable and condensable particulate), VOC, CO, lead, mercury, hydrogen chloride, dioxin/furan, and any other regulated air emission, completed from January 1, 2005, to the present. Emission testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. If not included in the test report, submit all the operating parameters recorded during the tests, such as production rate, fuel type and firing rate, etc. Indicate whether each report was shared with the local or state permitting agency.
8. For the Bakery Line, provide the chemical composition of the VOC exhaust stream (*i.e.*, ethanol %, methane %, *etc.*)

East Balt shall submit the information requested below, pursuant to Section 114 of the CAA, 42 U.S.C. § 7414, in accordance with the deadlines specified below:

9. East Balt must submit an emission test plan, conduct emission testing and submit all other information requested within the schedules provided below for the facility. Specifically, East Balt must:
  - a. Within 65 days of the receipt of this request, perform the specified emission testing: quantify the mass emission rates of VOCs using EPA

Reference Methods 1 through 4 and 25A to determine VOC emission factors at the Bakery Oven and Proof Box<sup>1</sup>;

- b. During the testing conducted for item 9.a, operate the facility at maximum production rates and under representative conditions;
- c. Within 21 days after receipt of this request, submit to EPA and Ohio EPA the proposed testing protocol that completely describes the methods and procedures for testing. East Balt shall conduct the testing under a protocol approved in advanced by EPA. The protocol shall address the requirements of item 9.a and 9.b of this information request;
- d. At least 21 days prior to the planned test, submit notification to EPA and Ohio EPA of the intent to emission test;
- e. Within 30 days after completion of the test, submit a complete report of the emissions testing on its facility, including the following, at a minimum:
  - i. Summary of results
    - 1. Results of the above specified emission test;
    - 2. Process and control equipment data related to emissions;
    - 3. Discussion of test errors;
    - 4. Discussion of any deviations from the reference test methods; and
    - 5. Production (tons per hour) and natural gas usage (million British Thermal Units per hour) data.
  - ii. Facility Operations
    - 1. Description of the process and control equipment in operation;
    - 2. Operating parameters of the oven and related equipment at the time of the test; and
    - 3. Facility operating parameters that demonstrate that the facility was being operated at the maximum production rates.
  - iii. Sampling and Analytical Procedures
    - 1. Sampling port location(s) and dimensions of cross-section;
    - 2. Sampling point description, including labeling system;
    - 3. Brief description of sampling procedures, including equipment and diagram;
    - 4. Description of sampling procedures (planned and accidental) that deviated from any standard method;
    - 5. Brief description of analytical procedures, including calibration;

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<sup>1</sup> If you believe your exhaust stream contains a high concentration of non-VOC hydrocarbons that would be included within the results of a Method 25A test, you may additionally choose to conduct a simultaneous Method 18 test for non-VOC hydrocarbons such as methane to provide a more accurate result for total VOCs within the exhaust stream. If Method 18 and/or any other test method is conducted, it must be included within the proposed testing protocol requirements defined in item 9.c of this information request. If no Method 18 test is conducted, total VOCs will be considered equal to the results of the Method 25A test in volume concentration equivalents of the calibration gas. The calibration gas and any molecular weight conversion factors used to quantify VOC emissions should be applied as appropriate according to the expected speciation of the exhaust stream.

6. Description of analytical procedures (planned or accidental) that deviated from any standard method; and
7. Quality control/quality assurance procedures, tests and results.

iv. Appendix

1. Complete results with example calculations;
2. Raw field data (original, not computer printouts);
3. Laboratory report, with signed chain-of-custody forms;
4. Calibration procedures and results;
5. Raw process and control equipment data, signed by plant representative;
6. Test log;
7. Project participants and titles; and
8. Related correspondence.



## **Appendix C**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

## **Determining Whether the Information Is Entitled to Confidential Treatment**

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as

substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

**CERTIFICATE OF MAILING**

I certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by  
Certified Mail, Return Receipt Requested, to:

Mark Church  
East Balt Bakeries  
750 Airport Rd.  
Zanesville, OH 43701

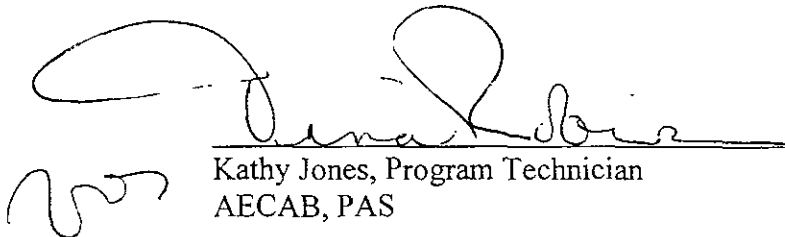
I also certify that I sent a copy of the Request to Provide Information Pursuant to the  
Clean Air Act by E-mail to:

Bob Hodanbosi  
Chief, Division of Air Pollution Control  
Ohio EPA  
Bob.hodanbosi@epa.ohio.gov

and

Jessica Kuenzli  
Manager, Division of Air Pollution Control, Southeast District  
Ohio EPA  
jessica.kuenzli@epa.ohio.gov

On the 30<sup>th</sup> day of March 2018.

  
Kathy Jones, Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 70150640000459656004